REMARKS

The Office Action dated February 21, 2006 has been fully considered by the Applicant.

By way of the present amendment, independent Claims 1, 15 and 20 have each been revised to more clearly convey the invention.

The rejection of Claims 1 through 6 and 8 through 20, as now amended, under 35 U.S.C. §103(a) as unpatentable over Brett (U.S. Patent No. 6,059,031) in view of Cole et al. (U.S. Patent No. 6,244,839) is respectfully traversed.

While it is acknowledged that Brett teaches a whirling mass attached to a shaft for rotation of the mass in a selected rotational direction to cause the mass to backwards whirl, it is otherwise dissimilar. Likewise, while Cole teaches a pair of spaced, coaxially aligned gerotors with each gerotor having an inner gear with one less lobe than an outer gear, it is otherwise dissimilar. In particular, neither reference discloses a pair of track rollers which engage on and roll on cylindrical sleeves. While the Examiner suggests on page 3 of the Office Action that Cole teaches a pair of replaceable roller bearings (138, 139), the bearings in Cole are axially aligned with the shaft and permit rotation of the shaft with respect to the body. The bearings in Cole are not track roller bearings and do not function to engage and roll on the sleeves in order to transmit centrifugal force.

In contrast, as set forth on page 11 of the specification of the pending application, ". . . the heavy duty track roller bearings 36 and 40 are utilized to transmit the centrifugal force created by the whirling mass to the sleeves 56 and 58 and then the housing of the apparatus 10." Accordingly, as now amended, independent Claims 1, 15 and 20 define the invention over the prior art.

Additionally, it is untenable to combine the teachings of Brett directed to vibrating with the teachings of Cole et al. directed to pumping fluid.

It is improper to combine references to achieve the invention under consideration unless there is some incentive or suggestion in the references to do so.

The Court of Appeals for the Federal Circuit has repeatedly held that under Section 103, teachings from various references can be combined only if there is some suggestion or incentive to do so. ACS Hospital Systems, Inc. v. Montefiore Hospital, 732 F2d 1572, 221 USPQ 929 (CAFC 1984).

> Stated another way:
>
> It is impermissible, however, simply to engage in a hindsight reconstruction of the claimed invention, using the applicant's structure as a template and selecting elements from references to fill the gaps...The references themselves must provide some teaching whereby the applicant's combination would have been obvious. In re Gorman, 18 USPQ2d 1885 (CAFC 1991).

The Examiner is required to follow the law as set forth by the Federal Circuit. In summary, the combination of patents to achieve the claims of the present invention is untenable.

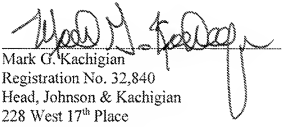
The remaining claims are all dependent on Claims 1, 15 and 20, include all of the limitations thereof and are believed allowable for the same reasons.

The rejection of Claim 7, as now amended, under 35 U.S.C. §103(a) as unpatentable over Brett in view of Cole and further in view of Hoffman (U.S. Patent No. 5,996,739) is respectfully traversed. The Examiner acknowledges that neither Brett nor Cole teaches a self-contained drip lubrication system. The Examiner asserts that Hoffman teaches a self-contained drip lubrication system. Hoffman is directed to a passive gravitation drip lubrication system which monitors and controls a lubrication rate. There is no disclosure or suggestion in Hoffman of a self-contained drip lubrication system having a fluid pump moving lubricating oil from an oil sump.

Also enclosed is a Petition for One-Month Extension of Time. The Commissioner is hereby authorized to charge Deposit Account No. 08-1500 for the $60 extension fee.

It is believed that the foregoing is fully responsive to the outstanding Office Action and the application is now in condition for allowance. If any issues remain, a telephone conference with Examiner Luks is respectfully requested.

Respectfully submitted,



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